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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SKYWEST PILOTS ALPA ORGANIZING
COMMITTEE, *et al.*,

Plaintiffs,

vs.

SKYWEST AIRLINES, INC.,

Defendant.

CASE NO.:

**TEMPORARY RESTRAINING ORDER
AND ORDER TO SHOW CAUSE RE:
PRELIMINARY INJUNCTION**

The above-captioned matter came before the Court upon Plaintiffs' *Ex Parte* Motion For A Temporary Restraining Order And Order To Show Cause Why A Preliminary Injunction Should Not Issue.

Having considered the evidence and legal arguments, the Court finds that Plaintiffs have demonstrated a likelihood of success on the merits and that the balance of hardships tips sharply in Plaintiffs' favor. Accordingly, Plaintiffs' Motion for a Temporary Restraining Order is GRANTED.

1 IT IS HEREBY ORDERED that Defendant, its officers, agents, servants, employees, and
 2 attorneys, and all persons acting by, through, under, or in concert with Defendant, are hereby
 3 temporarily restrained and enjoined, pending a ruling by this Court on whether a preliminary
 4 injunction should issue, and ordered as follows:

- 5 1) To cease and desist from interfering in any way with Plaintiffs', their members', and their
 6 supporters' outward expression of support for ALPA and the ALPA organizing campaign
 7 and association with like-minded pilots through, *inter alia*, the wearing of ALPA insignia
 8 on lanyards or pins, while in uniform or off duty.
- 9 2) To cease and desist from interfering in any way with Plaintiffs', their members', and their
 10 supporters' communication with fellow SkyWest pilots regarding ALPA and the ALPA
 11 organizing campaign through distribution of ALPA-related materials in non-work areas
 12 such as bulletin boards and crew lounges.
- 13 3) To cease and desist from discriminating in any way against Plaintiffs, their members, and
 14 their supporters with respect to the channels of communication they may use to
 15 communicate with fellow pilots, and to provide Plaintiffs and their members with access
 16 to the same channels of communication provided to SAPA at any point during the last
 17 year, including but not limited to a dedicated bulletin board in each crew lounge where
 18 SAPA had a dedicated bulletin board at any point in the last year, general bulletin boards
 19 in crew lounges, pilot mailboxes, SkyWest's email system, and newly-hired pilot classes.
- 20 4) ~~To cease and desist from funding, recognizing, bargaining or purporting to bargain with,~~
 21 ~~or otherwise supporting in any fashion SAPA.~~ CRB

22 IT IS HEREBY ORDERED that no bond is necessary for each of the following separate
 23 and independent reasons: (1) Plaintiffs have a strong likelihood of success on the merits; (2)
 24 there is no realistic likelihood of harm to Defendant from enjoining its conduct; and (3) the
 25 balance of hardships weighs in favor of Plaintiffs.

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1 IT IS FURTHER ORDERED that Plaintiffs shall serve this restraining order and all
2 pleadings and papers supporting their motion for a preliminary injunction on Defendants not
3 later than Thursday, May 24, 2007. Opposition to Plaintiffs' request for a preliminary
4 injunction shall be filed and served by Defendants not later than Monday, May 28, 2007.
5 Plaintiffs' reply papers shall be filed and served not later than Tuesday, May 29, 2007. A
6 hearing on Plaintiff's request for a preliminary injunction will be held on
7 Wednesday, May 30, 2007 at 3:00 p.m.

8 IT IS SO ORDERED.

9
10 Date: May 22, 2007

U.S. District Court Judge

